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February 15, 2007

Commissioner for Patents  
Customer Service Window  
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Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

**Re: U.S. Patent Application No. 10/600,712**  
**For: Filtered Cigarette Incorporating a Breakable Capsule**  
**Our Reference: 14150-00601**

Dear Sir:

Transmitted herewith for filing in the U.S. Patent and Trademark Office in connection with the above-referenced application are the following documents:

- (1) Transmittal Form (1 page);
- (2) Fee Transmittal Form (1 page);
- (3) Petition for One-Month Extension of Time (1 page); and
- (4) Amendment and Response after Final Rejection (4 pages).

Please date-stamp the enclosed copy of this letter, thereby acknowledging receipt of the above-identified documents.

Sincerely yours,

DAVID R. YOHANNAN Reg. No. 37,480



PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

10

Application Number	10/600,712
Filing Date	June 23, 2003
First Named Inventor	M.F. DUBE et al.
Art Unit	1731
Examiner Name	D. Mayes
Attorney Docket Number	14150-00601

**ENCLOSURES (Check all that apply)**

<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input checked="" type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Interview Summary
<b>Remarks</b>		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name	KELLEY DRYE & WARREN, LLP		
Signature			
Printed name	DAVID R. YOHANNAN		
Date	February 15, 2007	Reg. No.	37,480

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name		Date	

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: **M. F. DUBE et al.** Examiner: **D. Mayes**  
Application Serial No.: **10/600,712**  
Filed: **June 23, 2003** Group: **1731**  
For: **FILTERED CIGARETTE INCORPORATING A BREAKABLE CAPSULE**  
Attorney Docket #: **14150-00601**

**INTERVIEW SUMMARY**

Commissioner  
US Patent & Trademark Office  
Alexandria Virginia, 22313

Dear Sir:

This is to confirm that an examiner interview was conducted by phone between the undersigned and Examiner Mayes on January 16, 2007. Applicant's representative appreciates the Examiner's participation in the interview and the careful consideration of the undersigned's comments. Applicant's representative notes that the rejection of Claims 47 and 48 in view of the combination of the Berger and Dock references was discussed. Agreement was not reached. Applicant's representative stated that Applicant is considering amending certain independent claims to include the "conical" limitation of dependent claims for purposes of preparing the application for appeal. For example, Applicant may amend Claim 1 to incorporate the "conical" limitation of Claim 7. Examiner Mayes indicated that such an amendment, and amendments of this form, should be acceptable to enter after final rejection to prepare the application for appeal.

Respectfully submitted,

February 15, 2007

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